EXAMINER'S AMENDMENT

1. This Office action is responsive to the amendment filed 29 December 2009.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Vincent Anderson on 11 March 2010.

The application claims have been amended as follows:

Claim 9. (Currently Amended) A system, comprising:

a basic input output system that comprises:

a first module to perform system initialization for a computing device; and a second module to back up one or more files of the computing device in response to a backup request and to restore one or more files of the computing device in response to a recovery request[,];

a user interface to enable a user of the computer device to save one or more backup points that comprises one or more from a group comprising time information on the backup operation, type of the backup operation, information on content to be backed up in the backup operation, information to identify the content[,]; and

a point management module to establish a relationship among the backup points and locate a backup point associated with the recovery request based on the relationship. Art Unit: 2115

Claim 10. (Cancelled)

Claim 29. (Currently Amended) A tangible machine readable storage medium comprising machine readable code that in response to being executed result in a firmware to

activate a basic input and output system of a computing device to perform a restoration operation on data of a computing device in response to a recovery request[;], and perform a backup operation on the computing device in response to a backup request;

provide a user interface in the firmware to enable a user of the computer device to save one or more backup points that comprises one or more from a group comprising time information on the backup operation, type of the backup operation, information on content to be backed up in the backup operation, information to identify the content; and

establish a relationship among the backup points and locate a backup point associated with the recovery request based on the relationship.

Claims 30-35. (Currently Amended) replace "machine readable medium" with --machine readable storage medium-- in lines 1 and 2.

- 3. Claims 1-9 and 11-35 are allowed.
- 4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALBERT WANG whose telephone number is (571)272-3669. The examiner can normally be reached on M-F (9:30 6:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Albert Wang/ Primary Examiner, Art Unit 2115